



DOMESTIC VIOLENCE - GS I AND II MAINS

Q. Domestic violence has been raised as the shadow pandemic post 2020. Bring out the factors contributing to the domestic violence in India. (15 marks, 250 words)

News: *How Covid Enabled A "Shadow Pandemic" Of Domestic Abuse In India*

What's in the news?

- In the wake of the COVID-19 crisis, the United Nations (UN) identified what it called a “shadow pandemic” of domestic violence against women.

Key takeaways:

- The UN includes in its definition of domestic violence what it refers to as “economic violence”, which it explains as: “making or attempting to make a person financially dependent by maintaining total control over financial resources, withholding access to money, and/or forbidding attendance at school or employment”.
- Economic abuse tends to involve controlling and coercive behaviour by a woman's partner and sometimes their in-laws or other family members, threatening her economic security and potential for self-sufficiency. While economic abuse can take many forms, there are three main types - sabotage, restriction and exploitation.

Causes of Domestic Violence:

1. Patriarchal Attitude:

- The major factor behind the violent behaviour of men is the patriarchal attitude which **perceives women as an object and gives her a low status in the society.**
- Violence arises from patriarchal notions of ownership over women’s bodies, labour, reproductive rights and level of autonomy.

2. Social Culture:

- **Indian culture glorifies the image of a woman who is tolerant and receptive,** and is another reason which prevents women from walking out of violent relationships.
- Further, religion perpetuates a culture where a woman is supposed to be submissive to her husband.
- For example, ‘**pativrata nari**’ is considered ideal in Indian society.



3. Lack of Awareness:

- Lack of awareness of their own rights and a general social belief in women's subordination perpetuates a low self-image in women and her inferior status.
- **Women are taught that marriage is the ultimate goal she has to achieve.** All this conditioning gradually becomes the nature of an Indian woman.

4. Dowry System:

- There are **strong links between domestic violence and dowry.**
- In a 2005 study published in World Development, a negative correlation between dowry amount and inter-domestic violence was found, indicating dangers of domestic violence, if falling short on dowry expectations.
- The dowry prohibition act has limited impact on violence related to dowry, and many cases of brides being burned for dowry are reported.

5. Lack of Education:

- Low investment on girl education, girl children are kept out of schools, or made dropout of school at early age, girls are considered as a burden on family in many societies.

6. Psychiatric Morbidity:

- Generally refers to the incidence of both physical and psychological deterioration as a result of a mental or psychological condition, generally caused due to the consumption of alcohol.
- **Regular consumption of alcohol by the husband has been strongly associated with poor mental health of women.**
- Alcohol operates as a situational factor, increasing the likelihood of violence by reducing inhibitions, clouding judgment and impairing an individual's ability to interpret cues.

7. Underreporting:

- According to WHO estimates less than 40 percent of the women who experience violence seek help of any sort.
- Among women who seek help, tend to approach family and friends and very few look to formal institutions and mechanisms, such as police and health services.
- Less than 10 percent of those women seeking help for experience of violence sought help by appealing to the police.

8. Erring Laws:

- Most of the time laws and legislations for women safety are either not in compliance with the International standards or not implemented properly.
- Laws relating to violence themselves constitute a greater barrier against justice for women.



Consequences of Domestic Violence:

1. Health Issue:

- Violence in any form affects **not only physical mental sexual and reproductive health of women but also adversely affects their self-esteem, ability to work and make decisions about fertility.**
- Violence against women, including sexual or physical violence, is linked to many long-term health problems. Long-term mental health effects of violence against women can include Post Traumatic Stress Disorder, Depression or Anxiety.
- This can further lead to the problem of substance abuse and drug addiction. Sexual violence can result in irreparable injury to sexual violence and a loss of self-worth

2. Rights Issue:

- Any form of Violence against women hinders their realization of fundamental rights under **article 14, 21, 19 and 32** of the Indian constitution.

3. Impact on Child:

- A variety of **behavioural and emotional disorders** may affect children who are raised in violence-prone families. These have been linked to later violence, both perpetrating it and experiencing it.

4. Social and Economic Cost:

- Sexual and intimate relationship violence has significant social and financial repercussions that propagate across society.
- Women may experience **loneliness**, be unable to work, lose earnings, miss out on routine activities, and have a restricted capacity to care for themselves and their children.

5. Development Issue:

- Violence obstructs participation of women in development and planning programs both at micro and macro level.
- Violence prevents women from experiencing or accessing the benefits of development by restricting their ability to act or move freely.
- Violence against women is an obstruction to poverty alleviation programs as it impedes equitable distribution of resources.

Government Initiatives:

Constitutional Provisions:

1. Fundamental Rights:

- The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.
- There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.



- The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth, or any of them.

2. Directive Principles of State Policy:

- The State shall direct its policy towards securing to all citizens men and women, equally, the right to means of livelihood, and shall strive to ensure equal pay for equal work.
- The State is also directed to make provisions for ensuring just and humane conditions of work and maternity relief.

3. Fundamental Duty:

- Above all, the Constitution imposes a Fundamental Duty on every citizen to renounce practices derogatory to the dignity of women.

4. Criminal Offences:

- In 1983, domestic violence was recognised as a specific criminal offence by the introduction of **section 498-A into the Indian Penal Code**. This section deals with cruelty by a husband or his family towards a married woman.

5. Dowry Prohibition Act, 1961:

- This Act prohibits the giving or taking of dowry. This is to ensure a change in the culture of dowry in India and associated violence.

6. Protection of Women from Domestic Violence Act, 2005:

- Protection of Women from Domestic Violence Act, 2005 ensures the reporting of cases of domestic violence against women to a **Protection Officer**.
- The Act was to make justice available to women who may not always want criminal proceedings and would want to keep the option of reconciliation alive.

7. Nirbhaya Fund:

- Nirbhaya Fund is a Rs.10 billion corpus announced by the Government of India in its 2013 Union Budget.
- This fund is expected to support initiatives by the government and NGOs working towards protecting the dignity and ensuring the safety of women in India.

WAY FORWARD:

1. Gender Based Legislation:

- It is important to enact and enforce legislation and develop and implement policies that promote gender equality by ending discrimination against women in marriage, divorce and custody laws, inheritance laws and ownership of assets.



2. Financial Independence:

- Improving women's access to **paid employment**.

3. Awareness:

- Awareness generation and **sensitization camps** should be organized at regular intervals. **Media** can play a vital role in this regard.
- **Police** should play a vital role. Separate wings should be formed and they should be trained to become more respectful and courteous to the victims in distress.
- **Capacity building and training** to service providers and law enforcement officers to handle cases of violence against women.

4. Data and Policies:

- Developing and resourcing national plans and policies to address violence against women.
- Improve the system of **collecting crime surveillance data** on violence against women.

